

**BROKEN ARROW CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
April 1, 2008**

6:30 PM

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
 - A. Approval of the regular meeting minutes of March 18, 2008
 - B. Acceptance of minutes of Planning Commission meeting held March 13, 2008.
 - C. Acceptance of the Parks and Recreation Department 2008 Park Fees
 - D. Approval of installation of "No Parking-Tow Zone" signs on 5th Street between Broadway and College
 - E. Approval of PT06-110, Conditional Final Plat of Iron Horse Ranch, 80.20 acres, RS-3, north of Jasper Street (131st Street), one-quarter mile west of Aspen Avenue (145th East Avenue)
 - F. Approval of PT07-120, Conditional Final Plat of Millicent Pond II, 23.46 acres, 88 lots, RS-3, east of Olive Avenue (129th East Avenue), one-eighth to one-quarter mile south of Houston Street (81st Street)
 - G. Approval of bids received and award of the most advantageous bid to CEI, Inc., for construction of the new Police Department Firing Range
 - H. Acceptance of four (4) Storm Sewer Easements from Kyle E. and Rebecca Carol Hunt Revocable Trust (S16 T18N R14E) [Project: Millicent Pond II, DN06-124]
 - I. Acceptance of a Temporary Construction Easement and Utility Easement from The Betty Ann Mockley 1992 Revocable Trust (S06 T18N R15E) (Project #SO405 Adams Creek Northwest Sewer Improvements)
 - J. Acceptance of a Temporary Construction Easement and Utility Easement from The Betty Ann Mockley 1992 Revocable Trust (S31 T19N R15E) (Project # SO405 Adams Creek Northwest Sewer Improvements)
 - K. Acceptance of a Utility Easement from Dwight L. and Elaine Hendrickson (S04 T17N R14E) [Project: White Church Crossing waterline]
 - L. Acceptance of a Utility Easement from J.W. Rocky and Sandra F. Lewis (S04 T17N R14E) [Project: White Church Crossing waterline]
 - M. Acceptance of a Utility Easement from Robert B. and Donna S. Rosene (S04 T17N R14E) [Project: White Church Crossing waterline]

- N. Acceptance of a Utility Easement from Dolores J. Sarty (S04 T17N R14E) [Project: White Church Crossing waterline]
- O. Acceptance of a Utility Easement from James M. and Dolores J. Sarty (S04 T17N R14E) [Project: White Church Crossing waterline]
- P. Acceptance of a General Warranty Deed from American Land Development Limited Partnership (S17 T18N R14E) (Project #ST0522 Olive/129th E. Avenue between Washington/91st Street and Houston/81st Street)
- Q. Approval of the Claims List

6. Consideration of Items Removed from Consent Agenda

7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths

- A. Presentation: Approval of and authorization for the Mayor to execute a proclamation declaring April 13-19, 2008 as "Telecommunicator Appreciation Week" in the City of Broken Arrow
- B. Presentation: Information regarding the upcoming Trash Bash Event

8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services (approximately 7:00 p.m.)

9. General Council Business

- A. Consideration and possible approval of extension of the Ice Storm 2007 Debris Burn Permit, Large Tract (greater than 20 acres), adopting the modified provisions to extend the allowable burn dates through June 1, 2008 for large tracts over 20 acres
- B. Consideration, possible approval of and authorization to execute Resolution No. 520 - a resolution of necessity to condemn property located at the NE/4 NW/4 of Section 7, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma (East Kenosha Widening Project from N. 23rd Street to Creek Turnpike)
- C. Consideration and possible approval of requests in connection with the "2008 Rooster Days Festival" on Thursday, May 8 through Sunday, May 11, 2008, including closing streets along the established Main Street parade route from Elgin to Washington, on Saturday, May 10, 2008 from approximately 10 a.m. to Noon, and approval of and authorization to execute a "Promotional License on City Property" agreement between the City and the Broken Arrow Chamber of Commerce
- D. Consideration, possible approval of and authorization to execute Resolution No. 521 - a resolution stating the intent to reimburse certain capital expenditures and authorizing the incurrence of indebtedness in aggregate principal amount not to exceed \$2,500,000
- E. Consideration and possible approval to provide \$450,000 in Community Development Block Grant (CDBG) Funds for the purpose of transmitting to Vintage Housing for land acquisition for Kenosha Landing, an elderly, low and moderate income apartment development
- F. Consideration, possible approval of and authorization to execute an Option to Purchase 76.26 acres of real property located in the City of Broken Arrow, Wagoner County

10. City Manager's Report

- A. Eastside Plan Development Implementation
- B. 2008 Bond Issue
- C. Budget Savings and Special Income FY 2009
- D. "Let's Talk BA" Ward 3 Summary Results

11. Preview Ordinances

- A. None

12. Ordinances

- A. Ordinance No. 2937 - an ordinance amending Section 7-211 of the Broken Arrow Code, providing for an increase in Ambulance Service Charges; repealing all ordinances to the contrary; declaring an effective date of May 1, 2008; and declaring an emergency
- B. Ordinance No. 2939 - an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931), approving BAZ 1588 and SP 174A, granting R-2 and FD zoning classifications be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- C. Ordinance No. 2940 - an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931), approving BAZ 1705 and PUD 168, granting RS-3 and PUD 168 zoning classifications be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- D. Ordinance No. 2941 - an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance no. 2931), approving BAZ 1766 and PUD 175, granting CG (previously C-2) and CG (previously O-2) and PUD 175 zoning classifications be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- E. Ordinance No. 2942 - an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931), approving BAZ 1236, granting R-3 along with PUD 94 zoning classifications be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- F. Ordinance No. 2943 - an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931), approving BAZ 1281, granting CG along with PUD 180 zoning classifications be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- G. Ordinance No. 2966 - an ordinance adding to Broken Arrow Code of Ordinances Chapter 21, Article 1, Section 21-14, Establishing definitions of payors, street light fee and billing procedure; repealing all ordinances in conflict therewith, providing for severability and declaring an emergency

13. Remarks and Inquiries by Governing Body Members

14. **Executive Session** for the purpose of confidential communications between the City Council, the City Manager, the Assistant City Manager and the City Attorney for the purpose of conferring on matters concerning discussion of a proposed economic development contract with the Northeast Crossroads Development Group for property located at 209th and Kenosha which may include the transfer of property, financing and the creation of a proposal to entice a business to locate in Broken Arrow, under 25 O.S. § 307(C)(10) and § 307(B)(3) as disclosure could violate the confidentiality of the business; negotiations with employees and representatives of employee groups, specifically the Fraternal Order of Police and IAFF under 25 O.S. § 307(B)(2); The City of Broken Arrow v. Frances Marie Couch, Trustee of the Frances Marie Couch Revocable Trust dated April 11, 2000, et al., Tulsa County District Court Case Number CJ-2007-4825, City of Broken Arrow v. Stephen Stiger Couch, et al., Tulsa County District Court Case Number CJ-2008-0038, City of Broken Arrow v. Margaret Couch, et al., Tulsa County District Court Case Number CJ-2007-4822; and GWR Investments, Inc. v. The City of Broken Arrow, et al., Tulsa County District Court Case Number CJ-2008-01354; all under 25 O.S. § 307(B)(4). In the opinion of the City Attorney, the Council is advised that disclosure will seriously impair the ability of the public body to process the pending litigation in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

15. **Adjournment**

NOTICE:

All cell phones and pagers must be turned OFF or operated SILENTLY during Council meetings.

Exhibits, petitions, pictures, etc., presented to the authority shall be received and deposited in case files to be kept at the Broken Arrow City Hall.

If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

POSTED this ____ day of _____, 2008, at _____ a.m./p.m.

City Clerk